

# IN THE MICHIGAN COURT OF APPEALS

## ORDER

Re: **People of MI v David Herbert**

Docket No. **291080**

L.C. No. **91-044799-FH**

Christopher M. Murray, Chief Judge Pro Tem, acting under MCR 7.201(B)(3) and 7.216(A)(10), orders:

The delayed application for leave to appeal is DISMISSED for failure to pursue the case in conformity with the rules. MCR 7.201(B)(3) and 7.216(A)(10). The Clerk of this Court provided notice regarding the nature of the defects in this filing, and the defects were not corrected in a timely manner by providing this Court with five copies of an application conforming to MCR 7.212(C), five copies of statement of facts explaining the delay in filing the appeal under MCR 7.205(F), five copies of the circuit court register of actions, four more copies of the February 27, 2009 order, and five copies of a motion to waive fees. Dismissal is without prejudice to whatever other relief may be available consistent with the Court Rules.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

MAY - 6 2009

Date

*Sandra Schultz Mengel*  
Chief Clerk